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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 Ronnie Edwards,
14 Petitioner,
15 v.
16 Charles Daniels, *et al.*,
17 Respondents.

Case No. 2:20-cv-01479-RFB-DJA

**Unopposed Motion for Extension
of Time to File Amended Petition**

(First Request)

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19 Petitioner Ronnie Edwards, by and through counsel, C.B. Kirschner,
20 Assistant Federal Public Defender, moves this Court for an extension of time of 60
21 days from December 11, 2020, to and including February 9, 2021, to file the First
22 Amended Petition.
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POINTS AND AUTHORITIES

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2 1. On or about January 27, 2014, Ronnie Edwards was sentenced to 60-
3 150 months incarceration following his guilty plea to one count of battery
4 constituting domestic violence. He mailed his pro se Petition for Writ of Habeas
5 Corpus on or about July 31, 2020. ECF No. 1-1.

6 2. This Court appointed the Office of the Federal Public Defender as
7 counsel for Mr. Edwards and granted leave for counsel to file an Amended Petition
8 for Writ of Habeas Corpus. ECF No. 4. Counsel entered her appearance on
9 September 14, 2020. ECF No. 8.

10 3. The Amended Petition is currently due December 11, 2020. ECF No.
11 11. Petitioner now requests an additional 60 days, up to and including February 9,
12 2021, to file the Amended Petition. This is the first request for an extension of
13 time.
14

15 4. The additional period of time is necessary in order to effectively
16 represent Mr. Edwards. This motion is filed in the interests of justice and not for
17 the purposes of unnecessary delay.

18 5. Since being appointed to this case, counsel has been in the process of
19 obtaining and organizing the state court records, transcripts, as well as prior
20 counsels' files. In accordance with our filing system and procedures, these
21 materials need to be sorted, organized, scanned, and coded into our electronic case
22 system. This must be done before counsel can file a complete and accurate
23 Amended Petition. Counsel is also still in the process of obtaining prior counsels'
24 files and reviewing the state court record in this case.
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26 6. Additionally, counsel has been unable to speak with Mr. Edwards. It
27 appears that Mr. Edwards was released from custody shortly after filing his pro se

1 petition, but before being notified that counsel had been appointed to represent
2 him. *See* ECF No. 6 (mail to Mr. Edwards containing the appointment order was
3 returned as discharged). Counsel's office is still attempting to locate Mr. Edwards.

4 7. On December 9, 2020, Deputy Attorney General Adam Solinger was
5 contacted via email and stated he did not object to the extension, but the lack of
6 objection should not be construed as a waiver of any procedural defenses, nor as a
7 concession that any amended petition will be considered timely filed, nor as a basis
8 for equitable tolling.

9 8. For the above stated reasons, Petitioner respectfully requests this
10 Court grant an extension of time of 60 days and order the Amended Petition to be
11 filed on or before February 9, 2021.


12 Dated December 10, 2020.

13
14 Respectfully submitted,

15 Rene L. Valladares
16 Federal Public Defender

17 /s/ C.B. Kirschner
18 C.B. Kirschner
19 Assistant Federal Public Defender

20 IT IS SO ORDERED:

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22 
23 RICHARD F. BOULWARE, II
24 United States District Judge

25 DATED this 11th day of December, 2020.
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